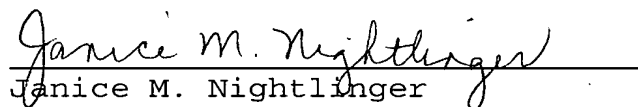


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of :  
Pevear et al. :  
Serial No. Not yet assigned :  
Filed: December 15, 2003 :  
For: COMPOUNDS AND :  
COMPOSITIONS FOR PREVENTING :  
AND TREATING PESTIVIRUS :  
INFECTION AND ASSOCIATED :  
DISEASES :

**Certificate of Express Mailing Under 37 C.F.R. §1.10:**

I hereby certify that this correspondence is being deposited on December 15, 2003 with the United States Postal Service as Express Mail Label #EV325929761US in an envelope properly addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313.

  
Janice M. Nightlinger

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. §1.97**

In accordance with the provisions of 37 C.F.R. §1.56, applicants hereby submit the attached PTO Form-1449, listing a reference which the patent examiner is requested to consider and make of record in the above-identified application. A copy of the listed reference is enclosed herewith. This submission is believed to be in full compliance with the requirements of 37 C.F.R. §1.98.

In the opinion of the undersigned, the reference listed on the attached PTO Form-1449, together with the references identified in the Request for Listing of References which is submitted herewith, are the most pertinent of which the undersigned is aware. However, no representation is made or intended that more pertinent references do not exist.

This submission is not an admission that the references listed on the attached Form PTO-1449 constitute prior art against the claims of this application.

The Examiner is respectfully requested to confirm receipt and consideration of the cited references by initialing and returning a copy of the attached Form PTO-1449 in accordance with MPEP §609.

Early and favorable consideration of this application is respectfully requested.

Respectfully submitted,

DANN DORFMAN HERRELL and  
SKILLMAN, P.C.

Attorneys for Applicant

By Patrick J. Hagan  
Patrick J. Hagan  
Registration No. 27,643

PJH:cmb

<b>INFORMATION DISCLOSURE STATEMENT</b>	<i>Complete if known</i>
	Application Number: Not yet assigned
	Filing Date: December 15, 2003
	First Named Inventor: Pevear, Daniel C. et al.
	Group Art Unit: Not yet assigned
	Examiner Name: Not yet assigned
SHEET 1 OF 1	Our File No. 1282 BVDV#1-CON3

UNITED STATES PATENT DOCUMENTS				
EXAMINER'S INITIALS	CITE NO.	PATENT NUMBER	ISSUE DATE MM-DD-YYYY	FIRST NAMED INVENTOR
	A1			

FOREIGN PATENT DOCUMENTS					
EXAMINER'S INITIALS	CITE NO.	DOCUMENT NUMBER	COUNTRY OR REGION	DATE OF PUBLICATION MM-DD-YYYY	FIRST NAMED INVENTOR OR APPLICANT
	B1	1,023,720A	Great Britain	03-23-1966	Gladych et al.

OTHER PRIOR ART - NON-PATENT DOCUMENTS		
EXAMINER'S INITIALS	CITE NO.	Include name of the author (in Capital Letters), title of the article (when appropriate), title of the item(book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published
	C1	

EXAMINER'S SIGNATURE		DATE CONSIDERED	
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**EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP §609. Draw a line through citation if citation not in conformance and reference not considered. Include a copy of this form with next communication to applicant.

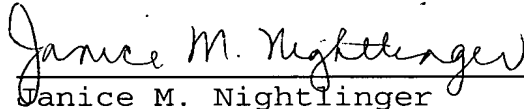
**THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of : Pevear et al.  
Serial No. : Not yet assigned  
Filing Date : December 15, 2003  
Examiner : Not yet assigned  
Entitled : COMPOUNDS AND COMPOSITIONS  
FOR PREVENTING AND TREATING  
PESTIVIRUS INFECTION AND  
ASSOCIATED DISEASES

-----  
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Our File No. 1282BVDV#1-CON3

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**Certificate of Express Mailing Under 37 C.F.R. §1.10:**

I hereby certify that this correspondence is being deposited on December 15, 2003 with the United States Postal Service as Express Mail Label #EV325929761US in an envelope properly addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313.

  
Janice M. Nightlinger

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REQUEST FOR LISTING OF REFERENCES**

Applicants(S) in the above-identified application are submitting herewith two PTO Form 1449s, listing references that were made of record and considered in the Parent US Application No. 10/359,400, filed February 5, 2003, and U.S. Grandparent Application No. 09/547,607, filed April 12, 2000, now US Patent 6,541,472.

It is respectfully requested that the references included in the 1449s submitted herewith be listed on the face of the patent granted on the above identified application, in accordance with the following provision of the Manual of Patent Examining Procedure:

The Examiner will consider information which has been considered by the Office in a parent application when examining a continuation or continuation-in-part application (See MPEP 201.06(b) which is not a file wrapper continuation application , **and a list of the information need not be submitted in the continuation or continuation-in-part application unless applicant desires the information to be printed on the patent** [emphasis added] .

In the event any fee is due in connection with the consideration of this request, the Commissioner is authorized to charge any such fee to the account of the undersigned attorneys, Deposit Account No. 04-1406.

Respectfully submitted,

DANN DORFMAN HERRELL and  
SKILLMAN, P.C.

Attorneys for Applicant

By Patrick J. Hagan  
Patrick J. Hagan  
Registration No. 27,643

PJH:cmb

# INFORMATION DISCLOSURE STATEMENT

*Complete if known*

Application Number: 09/547,607

Filing Date: April 12, 2000

First Named Inventor: PEVEAR et al.

Group Art Unit: Not Yet Assigned

Examiner Name: Not Yet Assigned

SHEET 1 OF 2

Attorney Docket Number: 1282-BVDV#1-CON

## UNITED STATES PATENT DOCUMENTS

EXAMINER'S INITIALS	CITE NO.	PATENT NUMBER	ISSUE DATE MM-DD-YYYY	FIRST NAMED INVENTOR
	A1	3,452,013	06/00/1969	Gladych et al.
	A2	3,466,281	09/00/1969	Gladych et al.
	A3	3,466,282	09/00/1969	Gladych et al.
	A4	3,467,657	09/00/1969	Gladych et al.
	A5	3,493,571	02/00/1970	Gladych et al.
	A6	3,637,687	01/00/1972	Chow
	A7	3,312,699	04/00/1967	Gladych et al.
	A8	3,493,569	02/00/1970	Gladych et al.
	A9	3,752,891	08/00/1973	Kaminsky

## FOREIGN PATENT DOCUMENTS

EXAMINER'S INITIALS	CITE NO.	DOCUMENT NUMBER	COUNTRY OR REGION	DATE OF PUBLICATION MM-DD-YYYY	FIRST NAMED INVENTOR OR APPLICANT
	B1	1,168,290	Great Britain	10/00/1969	
	B2	1,825,794	Russia (abstract only)	07/00/1993	
	B3	1,786,803	Russia (abstract only)	07/00/1994	
	B4	68 04,428	South Africa (abstract only)	11/04/1968	Gladych, et al.

## OTHER PRIOR ART - NON-PATENT DOCUMENTS

EXAMINER'S INITIALS	CITE NO.	Include name of the author (in Capital Letters), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published
	C1	M. Giangaspero et al., Arch. Virol. Suppl., 7: 53-62 (1993)
	C2	M. Giangaspero et al., Int. J. STD. AIDS, 4(5): 300-302 (1993)

EXAMINER'S SIGNATURE		DATE CONSIDERED	
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**EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP §609. Draw a line through citation if citation not in conformance and reference not considered. Include a copy of this form with next communication to applicant.

# **INFORMATION DISCLOSURE STATEMENT**

*Complete if known*

Application Number: 09/547,607

Filing Date: April 12, 2000

First Named Inventor: PEVEAR et al.

Group Art Unit: Not Yet Assigned

Examiner Name: Not Yet Assigned

SHEET 2 OF 2

Attorney Docket Number: 1282-BVDV#1-CON

	C3	R. Yolken et al., Lancet, <u>1</u> (8637): 517-20 (1989)
	C4	C.R. Wilks et al., Lancet, <u>1</u> : (8629): 107 (1989)
	C5	M. Giangaspero et al., Lancet, <u>2</u> : 110 (1988)
	C6	B.J. Potts et al., Lancet, <u>1</u> (8539): 972-973 (1987)
	C7	J. Gladych et al., J. Medicinal Chemistry, <u>15</u> : 277-281 (1972)
	C8	M.S. Collett et al., Virology, <u>165</u> : 191-199 (1988)
	C9	Pauwels et al., J. Virol. Methods, <u>20</u> : 309-321 (1988)
	C10	J. Boyle et al., Annals of the NY Academy of Science, <u>173</u> : 477-491 (1970)
	C11	J.M.Z. Gladych, Nature, <u>221</u> : 286-287 (1969)
	C12	M. Younes et al., Arch. Pharm. (Weinheim), <u>320</u> : 1196-1202 (1987)
	C13	K. Wegner et al., Arch. Pharm. (Weinheim), <u>320</u> : 108-114 (1987)
	C14	K. Joshi et al., J. Indian Chem. Soc., <u>LVII</u> : 1176-1180 (1980)
	C15	V. Ram, Arch. Pharm. (Weinheim), <u>313</u> : 108-113 (1980)
	C16	A. Sengupta et al., J. Indian Chem. Soc., <u>LXII</u> : 165-168 (1985)
	C17	K.C. Joshi et al., Journal f. prakt. Chemie. Band, <u>322</u> : 314-320 (1980)
	C18	M.S. Collett, J. Gen. Virol., <u>69</u> : 2637-2643 (1988)
	C19	M.S. Collett, Comp. Immun. Microbiol. Infect. Dis., <u>15</u> : 145-154 (1992)
	C20	Tomchin et al., Chemical Abstract, Vol. 123, No. 340195, abstract Izobreteniya, Vol. 25, pages 31-32 (1993)
	C21	Tomchin et al., Khim.-Farm. Zh., Vol. 32, No. 1, pages 22-26 (1998)
	C22	Tomchin et al., Chemical Abstract, Vol. 126, No. 312289, abstract, Izobreteniya, Vol. 25, page 243 (1996)
	C23	Tomchin et al., Chemical Abstract, Vol. 126, No. 312263, abstract, Izobreteniya, Vol. 25, page 242 (1996)
	C24	Tomchin et al. Chemical Abstract, Vol. 126, No. 312281, abstract, Izobreteniya (1996)
	C25	Tomchin et al., Chemical Abstract, Vol. 126, No. 344463, abstract, Izobreteniya, Vol. 27 (September 27, 1996)
	C26	Mohan et al., Chemical Abstract, Vol. 122, No. 333427, abstract, Indian J. Chem., Sect. B: Org. Chem., Vol. 34B, No. 2, pages 125-8 (1995)
	C27	Tomchin et al., Chemical Abstract, Vol. 126, No. 361432, abstract, Izobreteniya, Vol. 26, page 241 (September 10, 1996)

EXAMINER'S  
SIGNATURE

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# INFORMATION DISCLOSURE STATEMENT

*Complete if known*

Application Number: 09/547,607

Filing Date: April 12, 2000

First Named Inventor: PEVEAR et al.

Group Art Unit: 1624

Examiner Name: John M. Ford

SHEET 1 OF 2

Attorney Docket Number: 1282-BVDV#1-CON

## UNITED STATES PATENT DOCUMENTS

EXAMINER'S INITIALS	CITE NO.	PATENT NUMBER	ISSUE DATE MM-DD-YYYY	FIRST NAMED INVENTOR

## FOREIGN PATENT DOCUMENTS

EXAMINER'S INITIALS	CITE NO.	DOCUMENT NUMBER	COUNTRY OR REGION	DATE OF PUBLICATION MM-DD-YYYY	FIRST NAMED INVENTOR OF APPLICANT

## OTHER PRIOR ART - NON-PATENT DOCUMENTS

EXAMINER'S INITIALS	CITE NO.	Include name of the author (in Capital Letters), title of the article (when appropriate), title of the item(book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published
	C1	JAIN et al., "Heterocyclic Systems Containing Bridgehead Nitrogen Atom. XLII"; Annales de la Societe Scientifique de Bruxelles, T. 96, I, pp. 59-67 (1982)
	C2	TOMCHIN et al., Chemical Abstract, Vol. 126, No. 338864y, abstract Izobreteniya, Vol. 25, pp. 244-245 (1996)
	C3	TURZHOVA et al., Chemical Abstract, Vol. 126, No. 338866a, abstract Izobreteniya, Vol. 25, p. 244 (1996)
	C4	TOMCHIN et al., Chemical Abstract, Vol. 126, No. 338867b, abstract Izobreteniya, Vol. 25, p. 244 (1996)
	C5	TOMCHIN et al., Chemical Abstract, Vol. 126, No. 338868c, abstract Izobreteniya, Vol. 25, p. 244 (1996)
	C6	TURZHOVA et al., Chemical Abstract, Vol. 126, No. 338869d, abstract Izobreteniya, Vol. 25, p. 244 (1996)
	C7	TOMCHIN et al, Chemical Abstract, Vol. 126, No. 338870x, abstract Izobreteniya, Vol. 25, p. 244 (1996)
	C8	TOMCHIN et al., Chemical Abstract, Vol. 126, No. 338871y, abstract Izobreteniya, Vol. 25, p. 243 (1996)
	C9	TOMCHIN et al., Chemical Abstract, Vol. 126, No. 338875c, abstract Izobreteniya, Vol. 25, p. 246 (1996)

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# **INFORMATION DISCLOSURE STATEMENT**

*Complete if known*

Application Number: 09/547,607

Filing Date: April 12, 2000

First Named Inventor: PEVEAR et al.

Group Art Unit: 1624

Examiner Name: John M. Ford

SHEET 2 OF 2

Attorney Docket Number: 1282-BVDV#1-CON

	C10	TOMCHIN et al., Chemical Abstract, Vol. 126, No. 338876d, abstract Izobreteniya, Vol. 25, p. 246 (1996)
	C11	TOMCHIN et al., Chemical Abstract, Vol. 126, No. 338877e, abstract Izobreteniya, Vol. 25, pp. 245-246 (1996)
	C12	TOMCHIN et al., Chemical Abstract, Vol. 126, No. 338878f, abstract Izobreteniya, Vol. 25, p. 245 (1996)
	C13	TOMCHIN et al., Chemical Abstract, Vol. 126, No. 312290h, abstract Izobreteniya, Vol. 25, p. 243 (1996)
	C14	TOMCHIN et al., Chemical Abstract, Vol. 126, No. 312292k, abstract Izobreteniya, Vol. 25, p. 243 (1996)
	C15	TOMCHIN et al., Chemical Abstract, Vol. 126, No. 312293m, abstract Izobreteniya, Vol. 25, pp. 242-243 (1996)
	C16	TOMCHIN et al., Chemical Abstract, Vol. 123, No. 276058n, abstract Izobreteniya, Vol. 14, p. 187 (1994)

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SIGNATURE**

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